

EXTENSIONS OF REMARKS

JUDGE SANDERS CALLS FOR A
BALANCED BUDGET AMENDMENT

HON. JAMES H. (JIMMY) QUILLEN

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. QUILLEN. Mr. Speaker, Hon. Clifford E. Sanders, presiding judge of the eastern section Tennessee Court of Appeals, a close personal friend and one of Tennessee's most outstanding jurists, recently spoke to the Rotary Club of Kingsport, TN and received a standing ovation. Judge Sanders presented a comprehensive and convincing case for the enactment of a balanced budget amendment to the U.S. Constitution. Because of the importance of Judge Sanders' speech, its scholarship and its persuasive force, I am inserting it in the RECORD at this point for the information and benefit of my colleagues. I wish others would follow Judge Sanders' lead in speaking out for a balanced budget constitutional amendment because the country's recent fiscal history shows we need it.

ADDRESS BY HON. CLIFFORD E. SANDERS

This year we celebrate the bicentennial of the birth of our great Constitution. In May, 1787, America sent its best and brightest to Philadelphia to a convention called to amend the articles of confederation, the charter under which the States had been governed since the end of the Revolutionary War. They were 55 in all, representing 12 of the 13 States.

When the Convention adjourned on September 17, the delegates had exceeded their mandate. They had written and signed a completely new document—the Constitution of the United States—to serve as the legal framework of a new nation.

Since its ratification by the several States the Constitution has been amended 26 times. All but one of these amendments resulted in a beneficial impact upon our personal freedom, our society, our economy, or our Government.

Today we are here to talk about the necessity of amending it again to require a balanced budget. Not since the adoption of the Bill of Rights has there been such an urgent need for an amendment. Why is it urgent, you may ask? Because an irresponsible Congress has been unwilling to use restraint even in times of peace and prosperity, and is spending us into bankruptcy.

I give you Thomas Jefferson as the father of a balanced-budget amendment. In 1798 he wrote, "I wish it were possible to obtain a single amendment to our Constitution. I would be willing to depend on that alone for the reduction of the administration of our Government to the genuine principals of its Constitution; I mean an additional article taking from the Federal Government the power of borrowing."

Let us look at the record since those words were written. There has never been any restriction on the amount of money the Con-

gress could spend or the amount of public debt it could create except by its own resolution, which it could change at will. However, the Members of Congress, during the 18th and 19th centuries and the first 30 years of this century, considered it to be an unwritten requirement of the Constitution to have a balanced budget except in time of war. They likewise considered it an unwritten law that Government should pay its public debt from surpluses accumulated in time of peace. Until shortly after the turn of the 20th century, Government financing came primarily from customs duties. Then came large public works projects, such as the building of the Panama Canal, and increased pension benefits, which required more revenue than could be generated from customs duties.

The Government needed a new source of revenue. The answer was the 16th amendment to the Constitution—that great money machine known as the income tax was adopted in 1911. This was a revolutionary change in our taxation system. We were now taxing human capital rather than physical capital. The fundamental source of money for the Federal coffers now was not limited to duties on what we imported, but included potentially all wages earned by our citizens. The rules of the game had changed significantly. Congress had gained a new power in its vastly expanded tax generating machine. But there was no countervailing check on this new power. At the time the 16th amendment was adopted, no need for such a check was apparent. Members of Congress at that time still believed a balanced budget was an unwritten part of our Constitution.

For the first two decades following the adoption of the income tax amendment there were no abuses by Congress of either our tax system or deficits. Even the enormous deficits resulting from the First World War were reduced more than 36% from the surpluses of the following 11 years of prosperity. But the Great Depression of the 1930's started a cycle of deficits followed by more deficits—a pattern which we have not broken in 52 years in spite of the many years of peace and prosperity.

Our public debt rose more than 170% in the 1930's and more than 370% during the Second World War. Such deficits are necessary in such emergencies, and had our Congress abided by the unwritten constitutional rule, as recognized by their predecessors, that deficits created in emergencies must be paid by surpluses created in time of peace and prosperity, the public debt would now be insignificant.

However, in the last 52 years there have been only seven times that we have had a surplus, and the total of those years was minimal. It was less than \$30 billion dollars, and that would not pay six weeks' interest on our present public debt. During the last 52 years our Congress has demonstrated a total disregard for the consequences of deficit spending. As a result, our public debt stands at an unbelievable \$2 trillion 352 billion dollars today.

Now, a trillion dollars is such an astronomical amount of money that it exceeds

the imagination of the human mind on a comparative basis. But let me tell you how long the experts say it would take you to count to a trillion if you were counting dollar bills at the rate of one per second. It would take 17 minutes to count 1,000. It would take 12 days to count one million. But to count to a trillion would take 32,000 years—longer than civilization has been on this Earth! That deficit is increasing every day, but Congress still refuses to act.

The last time this country had a justifiable deficit was during the war years of 1943, '44, and '45. During those years we had an average deficit of approximately \$50 billion per year. But during the last six years the average deficit each year has far exceeded the total deficit for those three war years. This exists in spite of the fact that during that same period of time the income to our Government has been from 12 to 15 times greater than the income during the war years. Let me give you an example in round figures. In 1944 the Government had an income of \$44 billion dollars, and spent \$91 billion—in 1986 income was \$769 billion dollars, and \$990 billion was spent. In 1944 we had a deficit of \$47 billion dollars. In 1986 we had a deficit of \$220 billion dollars.

The interest alone on our public debt in 1986 was \$292.5 billion dollars. In 1987 it was \$293.7 billion dollars—each year the cost of interest on our public debt is more than 1/2% of the total cost of World War II.

It is interesting to note that the first proposal for a constitutional amendment to require a balanced budget was introduced in 1936. This was no accident. Because of our response to the Great Depression, by that year we had incurred five consecutive years of budget deficits. The first time this had happened in the history of our country except in time of war.

Economist Henry Simons, writing in 1936, foresaw our post-1930 experience with deficits, saying that without a balanced budget rule "political control must degenerate into endless concessions to organized minorities."

How right he was. When those words were written, the Members of Congress were using public funds to buy the patronage of minority groups instead of using those funds to pay our public debt, and it has been an ongoing thing ever since.

You can't balance the budget and also support every pork barrel bill that is introduced just to gain political support. Some hard choices would have to be made and those in Congress who are opposed to a balanced budget amendment don't want to have to make choices. They want to be at liberty to vote for every appropriation, regardless of how wasteful it is, if it will gain patronage for them. They loathe to effect economies that may not be popular with some of their constituents. It matters not to them that it costs 58 times as much to repair a Navy vessel as the same repairs would cost on a merchant ship.

In 1983 the President appointed a blue ribbon commission to study waste in our Government. In just one year they discovered \$137 billion dollars of waste and recommended its elimination. But not a single

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

move has been made to eliminate such waste.

There are those with many years in Congress who have been the strongest advocates of deficit spending who would now have us believe this horrendous deficit is the result of lower taxes and increased defense spending within the past few years—but nothing could be further from the truth.

The truth is, it is simply the total accumulation of the deficits incurred during 45 of the last 52 years, plus $\frac{1}{2}$ of the deficit carried over from World War I. However, it has been only during the past few years that our general citizenry have become concerned about deficit spending and our horrendous public debt.

The framers of our Constitution provided two methods of amending our Constitution. One is by a vote of $\frac{2}{3}$ of both Houses of Congress proposing an amendment. The other is by application of the legislatures of $\frac{2}{3}$ of the States to call a convention for the purpose of proposing amendments.

Such proposed amendments, whether made by Congress or by a convention called for by the State legislatures, must be ratified by the legislatures of $\frac{3}{4}$ of the States. Thirty-two of our States, including the State of Tennessee, have approved applications for a convention to be called to propose a balanced budget. If only two more States approve such applications, then Congress would have no choice but to call a convention.

A Constitutional Convention to propose amendments has never been called and those who are opposed to an amendment use all types of scare tactics to discourage such a convention. In the September issue of the "American Legion magazine" the pros and cons of such a convention were discussed by Senator Jesse Helms, Republican of North Carolina, who is in favor of a convention, and Senator Patrick Leahy, Democrat of Vermont, who is opposed to it. Let me read what Senator Leahy had to say: "No matter what proponents of such a convention say to allay our fears, once assembled, such a convention would be able to take on any issue it wants and consider any proposal. Every one of our liberties would be up for grabs. Nothing—not even our first amendment rights of freedom of speech and freedom of religion, nor our rights against search and seizure—none of the rights in our Constitution would be off limits. They would all be subject to revision, and I fear that rights we take for granted could be among the first to go."

Now that is a United States Senator speaking and you would expect him to know what he is talking about. Such a statement certainly would cause almost any State legislator, who believed that statement, to have misgivings about voting for a call of such a convention.

Now let me quote from an editorial which appeared in the Kingsport Times-News on September 17, which was the 200th birthday of our Constitution. In addressing the horrifying results which the editor visualized as coming out of such a convention, he said, "The potential consequences are horrifying and represent the most serious challenge our democratic government could face—the delegates themselves could set their own agenda. And if that happened, Americans could be witness to a 'runaway convention' that could change the Constitution as it saw fit and unravel American Government in the process."

Both the statement of Senator Leahy and the editorial of our local newspaper presup-

pose that once a constitutional convention is convened it could amend the Constitution, it could repeal any existing amendments, or it could completely rewrite the Constitution at its will and nobody but the delegates to the Convention would have any right to do anything about it.

But nothing could be further from the truth.

What a shame it is for a United States Senator, using the prestige of his office to author an article in a magazine of national circulation, and for a member of the news media, editorializing in its newspaper for the purpose of persuading public thinking, to be so intellectually dishonest.

A Constitutional Convention would have no more power to amend the Constitution than Congress has. It could only propose amendments, as the Congress can. Article 5 of the Constitution which provides for amendments, provides that Congress may propose amendments or, and I quote: "On the application of the legislatures of $\frac{2}{3}$ of the several States, shall call a convention for proposing amendments, which in either case, shall be valid as to all intents and purposes, as part of the Constitution, when ratified by the legislatures of $\frac{3}{4}$ of the several States." Is there anyone within the sound of my voice who would have fears that $\frac{3}{4}$ (38) of the legislatures of the several States would ever ratify a constitutional amendment that would accomplish any of the things about which the Senator or the newspaper are so fearful?

Lobbying by special interest groups opposed to an amendment has been intense in the legislatures of the 18 States which have not asked for a convention, and misinformation such as I have just read to you, has been the main weapon of their battle.

If there are those who still have doubts about the propriety of calling a convention, you can take comfort in the fact that all the States which have made applications have limited them to the single purpose of a balanced budget. Congress could, accordingly, in calling the convention, limit it to that single purpose. If the convention exceeded its mandate, Congress could choose not to send other proposals to the States for ratification.

There have been a number of resolutions offered in the Congress to require a balanced budget. The one that has the most support is H.J. Res. 321. It has 235 co-sponsors. It requires both the Congress and the President to agree on a common projection of estimated receipts. Total outlays for the year must not exceed the level of estimated receipts unless $\frac{2}{3}$ of the membership of both Houses agree by a recall vote. If actual revenues fall short of the estimate, Congress must provide by law for the repayment of the excess in the next fiscal year. The provisions of the article are waived for any fiscal year in which a declaration of war is in effect.

Congressman Quillen introduced House Joint Resolution 36 requiring a balanced budget which, in my view, is a more effective amendment than Resolution 321. It could be suspended only in the event of war or the threat of war. It would require a $\frac{2}{3}$ vote of both Houses and it requires the repayment of the national debt at the rate of at least 10% each 10 years. With 39 of the 50 States having adopted constitutional amendments to their own State constitutions, requiring balanced budgets, and with such amendments having been so effective in those States, and with public opinion being so strong in favor of a constitutional

amendment to require a balanced Federal budget, it is difficult, indeed, to understand why Congress is so reluctant to act. The Gallup poll, CBS News poll, and New York Times poll all show that, since the middle 1970's, those in favor of a constitutional amendment range above 70%. The highest percentage, however, was 85% in the spring of this year.

Mr. Steven Roberts, in the "New York Times" on July 16, this year, speaking of President Reagan's call for an amendment, said, "even Mr. Reagan's most ardent supporters agree that there is no chance that such notions as a line-item veto or a constitutional amendment mandating a balanced budget will become a reality any time soon."

These prospects might improve if one or two more States were to call for a convention to propose an amendment. All of the applications made by the States provide for rescinding their application if Congress proposes an amendment. Also, several of the applications delay their effective date until 60 days after receipt of the application of the last required State. The purpose of this is to give Congress time to propose an amendment.

For the most part, Members of Congress who have made their positions known through floor debate or committee testimony, indicate they do not favor calling a Constitutional Convention. However, more than 135 Members of the House and Senate have joined an organization called CLUBB, which stands for "Congressional Leaders United for a Balanced Budget." This organization, in its statement of purpose, declares that CLUBB believes Congress will not propose a balanced budget amendment. Therefore, CLUBB supports the States' drive for a balanced budget Constitutional Convention.

The time has come when some restraints must be imposed on an extravagant and irresponsible Congress.

The time has come when we must realize that, with a deficit of \$2 trillion 352 billion dollars, we are on the brink of economic disaster.

The time has come when we can no longer permit the snow-ball of public debt to continue to roll down hill.

The time has come when we must realize that we owe a duty to our posterity.

The time has come when we must realize that if we continue to travel down the road we are now traveling, the generations to come will inherit such a debt-ridden government, they will have a peasant's standard of living.

The time has come when we should listen to the observation of Adam Smith, who said, "What is prudence in the conduct of every private family, can scarce be folly in that of a great kingdom."

TRIBUTE TO ROBERT M. BISHOP

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. TRAFICANT. Mr. Speaker, it is with great pride that I pay tribute to Mr. Robert M. Bishop of the 17th District of Ohio.

Mr. Bishop will soon be named "Veteran of the Year" by the United Veterans Council. He began his naval military career in September 1940 aboard the USS *Tennessee*. He saw his first action as a fire controlman during the

Japanese attack on Pearl Harbor. Subsequently, he was assigned to 13 amphibious operations during major sea battles in the Philippines. He was discharged in 1946 only to be called back into battle during the Korean war.

Mr. Bishop served as president of the Mahoning Valley Chapter 5 Pearl Harbor Survivor's Association. He is also a lay leader at the First United Methodist Church in West Austintown.

It is with great pride and appreciation that I pay tribute Mr. Robert M. Bishop for his patriotic contribution to this great country and for his dedication to the people of Ohio. I am proud to represent such an outstanding citizen.

THE SACRAMENTO COMMUNITY OLDER AMERICAN VOLUNTEER PROGRAMS

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. MATSUI. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to the special people of the Sacramento community who are involved with the Older American Volunteer Programs. These programs have been important to the community in many ways. In 1974, the Foster Grandparent Program was established to aid disadvantaged children and youth with physical, mental, and emotional needs. These Foster Grandparents worked in schools, juvenile detention centers, hospitals, and residential treatment centers providing children with additional attention and support services. This program has proven to be remarkably successful; last year these Foster Grandparents contributed over 59,746 hours of service in 29 community host agencies throughout the United States.

The Senior Companion Program is another notable program that began in 1975 to provide services to adults with special needs. The Developmental Disabilities Component worked with disabled to achieve their optimum level of functioning. Subsequently, this has challenged many disabled individuals to become more self-reliant. The Skilled Nursing/Adult Day Health Care Components aided health care facilities by coordinating activities for their residents. In turn, these residents were able to experience life outside of the facility's boundaries. The Homebound Component provided assistance to homebound citizens in private residences. This support included light housekeeping, medical transportation, shopping, as well as personalized care. Last year over 51,727 hours were volunteered into this program nationwide.

The Retired Senior Volunteer Program also proved to be extremely beneficial to the community. This program helped unite the time and talents of retired and semiretired individuals by placing them in volunteer positions in public agencies and nonprofit organizations. Last year over 600 volunteers in Sacramento County contributed nearly 140,000 hours of community service. This program gave many

the opportunity to learn, share, and provide support toward the community.

Mr. Speaker, on behalf of the people of Sacramento and the State of California, I want to congratulate the individuals of the Older American Volunteer Program for a job well done. Their dedication to the community is admirable, and I would like to take this time to offer my warmest wishes to these outstanding individuals and wish them the very best of luck in all of their future endeavors.

JEWES AND RIGHTEOUS GEN- TILES—HAROLD SCHULWEIS DISCUSSES CHRISTIANS WHO RISKED THEIR LIVES TO SAVE JEWS

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. LANTOS. Mr. Speaker, just a few weeks ago we marked the 43d anniversary of the abduction of the Swedish humanitarian, Raoul Wallenberg. During the darkest hours of World War II, he put his life on the line countless times in order to save the lives of 100,000 people. Though he was a Swedish Christian from a wealthy family living in a country which was neutral in the war, he left the security and comfort of Stockholm to risk his life to save the lives of Hungarian Jews.

American Jews are beginning to acknowledge the lifesaving role toward Jews that many non-Jews played during World War II. Still, as Rabbi Harold Schulweis points out in an article in *Moment* magazine, there is still considerable resistance within the Jewish community toward acknowledging assistance given by gentiles to Jews. I feel that Rabbi Schulweis' arguments are worthy of our consideration. He is the rabbi of Temple Valley Beth Shalom in Encino, CA.

WHY JEWS SHOULD RECOGNIZE RIGHTEOUS GENTILES

(By Harold Schulweis)

My children were young then. Too young, I thought, to be watching that film on the Holocaust. The film depicted the skeletal figures of starving Jews in the camps, men and women, elongated embryos with sunken eyes rather than fully grown adults. My ambivalence tore at me. On the one hand, I wanted my children to mature, to know the depth of Jewish tragedy. My father called it *oisemenschen* zich—to mature, to overcome childlike fantasies, to face reality. On the other hand, I wondered whether the documentary would lay a stone upon their hearts, make them feel that to be Jewish is to be caught in a leprous circle.

I continued to teach the exalted Jewish view of human beings as created in God's image, in contrast to the Christian pessimism that introduces Adam's descendants as creatures born in transmitted sin. I continued to cite the Psalmist's praise of human beings as "but lower than God." But the overwhelming illustrations of human conduct sustained an image of human venality, corruption, betrayal, persecution.

The Holocaust was, after all, not simply an episode in Jewish history, but a paradigm of the broken human condition. And, as for its specific Jewish meaning, the

Shoah had come to serve as the compelling metaphor of Jewish existence—past, present and future. That view has hard evidence on its side: the collusion against the Jews, the feigned deafness of onlookers, the studied ambiguity of the Church, the self-induced paralysis of the Allies.

Was there any empirical evidence to bolster the Jewish outlook? Aside from the desperate preaching of Jewish humanism, what evidence was there to support the claim of God's presence in human nature and the Jewish faith in Him and in the crown of His creation?

I was sifting the ashes of the Shoah to uncover an ember of hope. I was searching for another side to the Holocaust when I came across Philip Friedman's "Their Brothers' Keepers". It was a revelation for me. There were tears here, but out of a different well. For here were peasants, priests, farmers, teachers who refused to rationalize complicity with the predators.

Here were Christians from all walks of life and in every Nazi-controlled country who forged passports, hid Jewish families, fed the hungry, the hunted. Who were they? What kind of Poles, Germans, Dutch, Belgians, Bulgarians, Christians would risk their lives and those of their families to save people not of their own faith?

In the early 1960s I found myself increasingly drawn to this phenomenon, to the rescue of Jews by non-Jews. I spoke to rabbinic and lay audiences, appealed to national Jewish organizations and to secular, academic circles to engage in a serious empirical study and moral interpretation of these acts of altruism in the midst of the unspeakable atrocities of the Holocaust. I founded and chaired the Institute for Righteous Acts, some of whose archives are housed at the Judah Magnes Museum in Berkeley.

People listened, nodded assent, some coming forth to volunteer the information that they and others they knew had indeed been rescued by gentiles. But there persisted and persists to this day a near-palpable resistance to the suggestion that the rescuers ought to be studied, their motivations better understood, their lives celebrated. I still find a lack of enthusiasm about the phenomenon of Christian rescue of Jews, and I wonder about the reasons for this odd reserve.

I wonder, and I speculate:

Undeniably, there are people, pseudo-scholars, as well as a world superpower, who find it hard to admit the uniqueness and immensity of Jewish suffering. In the name of some perverse notion of universalism, they begrudge Jews the particularity of their anguish. They prefer to deracinate the Jewish victims, to bury them anonymously. They play a sickening numbers game—not six, but "merely" four or three or two million Jews died. They so twist history that they define the Holocaust as a self-serving manipulation of gullible people for the sake of eliciting favor for the kin of its "alleged" victims. There is no limit to their torture of history.

In such a hostile environment, it is understandable that Jews should guard jealously the treasures of Jewish suffering; and that they grow anxious lest focusing attention upon the behavior of gentle rescuers deflect attention from the suffering of those so brutally violated. The light must not be allowed to eclipse the darkness. Some suspect that the evidence of the acts of righteous gentiles may be used to whitewash the villainy.

Others measure the numbers of rescuers against the numbers of predators and find

them so scandalously disproportionate as to mock the effort to study and publicize the good. For them, the stories of the righteous gentiles are minor footnotes that do not enter the text. Inadvertently but inevitably, the memory of the acts of righteous gentiles is thus erased. Ask my children or yours about the names and acts and fate of the heroic Christian collaborators who hid Anne Frank's family.

Social scientists have biases of their own. One major prejudice is the a priori conviction that humans are basically ignoble, exploitive, aggressive, hurtful. The bias is presented in the name of realism and objectivity. Tough-minded, hard-nosed scientists insist that the qualities of softness and benevolence are the surface masks people wear to hide their coarser motivations. Scratch a saint and discover a sinner. Beneath altruism lies a baser universal egoism.

That "scholarly" tradition is inherited from Thrasymachus, Machiavelli, Hobbes and Nietzsche, a secular version of original sin. It is presented in full meta-psychological dress in the pessimism-realism of Sigmund Freud, for whom altruism, at root, is a form of cultural hypocrisy. Who has the courage to dispute the evidence, Freud asked in his *Civilization and Its Discontents*, that man is to man a wolf—homo homini lupus.

Others, philosophers and psychologists, have sought to dismiss the reality of altruism by showing that since self-sacrifice offers egotistic gratification to the helper, it is not for the sake of another. According to this spurious logic, saint and sinner, rescuer and pursuer are reduced to a common egoistic denominator.

Such a sophisticated prejudice may help explain why there are so few studies on altruism in comparison with studies on authoritarianism, why the character and motivation of evil people are so much better researched than those of good people, why the term "altruism" is introduced so late (by August Comte in the 19th century) into the vocabulary of social science.

There is something else that keeps the study and celebration of altruism at arm's length. For all the paeans in praise of goodness, it presents its own threatening challenges. Evil men and women may be less of a threat to our sense of self than truly good persons.

An extreme case: Compared to Eichmann, we are saints. But measured against a Fritz Graebe, an Alexander Roslan an André Trocmé, our claim to virtue is shaken. Reading the corroborated stories of their rescue behavior we may wonder: Would you or I hide these hunted families in our homes, feed them, clothe them, offer them sanctuary, knowing that venal informers and sadistic predators roam about? Would you or I do this for men, women and children who are strangers to our faith? Despite the rhetorical adulation of the righteous rescuers, do we want to raise our children to emulate these moral heroes, so selflessly to taunt death?

The challenge in confronting goodness may be further complicated because the heroes are not Jews. That fact shakes the character of "split thinking." There is a lure to divide the world into two parts, a Manichean temptation to divide the world into children of dark and children of light.

The schismatic thinking that "black-washes" outsiders and "whitewashes" insiders sanctions our angers, endorses the maledictions against the "others." Confronted by righteous gentiles, we are made to face a

mottled reality. The outside is not all dark with treachery. The "split mind" is frustrated by exceptions, admixtures, the stuff that challenges generalizations.

Righteous gentiles—even Germans, Poles and Ukrainians—upset the certainties of "all" or "none," of "always" and "never." The "split mind" seeks to ignore the complexity of character that punctures the iron curtains of the mind. In our case, denial and avoidance of gentile altruism are strategies to preserve the barriers of split-thinking judgments.

But now, four decades later, some enter the cavern with a small lantern to examine the aftermath, to sift through the ashes of destruction, to find some residue of hope. Slowly a meager literature of scholarly research and popular acknowledgement of the acts of the righteous is emerging.

Nechama Tec has just published a pioneer study on Christian rescue of Jews in Nazi-occupied Poland, *When Light Pierced the Darkness* (Oxford University Press). Douglas K. Huneke's book, *The Moses of Rovno* (Dodd, Mead and Company), tells the stirring story of Fritz Graebe, a German Christian who risked his own life and the lives of his family to lead hundreds of Jews to safety during the Holocaust.

Professor Samuel Oliner is engaged in wide-ranging research on the altruistic personality, based on in-depth interviews of gentle rescuers. Pierre Sauvage's documentary of André Trocmé and the rescuers in the French village of Le Chambon is now available. A film based on Schindler's List is in production. These are hopeful signs that the passive resistance and converging biases against research and publicity of the righteous gentile may be changing.

On moral grounds alone, the neglect of the phenomenon must be overcome. Jews, who are witness to the capabilities of human beings to torture and destroy, are also witnesses to the human capacities to save and rebuild. That witness is vital for healing the traumatized conscience of humanity. The post-Holocaust generation, the children of those who survived, needs to be helped to trust again.

The precarious imbalance that places all weight of evidence on the depressive side of the scale must be corrected by the empirical evidence of human benevolence. The prejudice that distorts the character of human nature and confines it to the "nasty, brutish and short" must be countered by the testimony of those who in hellish times experienced long-term, self-sacrificing care and concern.

Research on altruistic behavior must be supported; greater attention must be paid this repeatedly neglected area of Holocaust studies. I do not fear that the evidence of rescue will trivialize the monstrosity of evil.

The inference is inescapable: There are no heroes without villains, no rescue of the hunted without pursuit by the hunters. To the contrary, those Jews and non-Jews who may fear entering the cave lest they be enveloped by the despair of no exit—there are many such—may be encouraged to overcome their fear if they know that even there they will behold sacred sparks. Light is needed to illumine the darkness. Moral heroes of flesh and blood are needed to resuscitate our exhausted morale.

We are presented with an ironic symmetry. The denial or denigration of the numbers of righteous gentiles who helped is the reverse side of the pernicious denial and minimizing of the numbers of victims who suffered. One cries that there were not so

many victims, the other cries that there were not so many heroes.

There are always too few moral heroes, always too few of the righteous whose presence could have saved Sodom. Does that not make the memory of those there were all the more precious, all the more important? The memory of the righteous must not be swept away together with the wicked—surely not by heirs to a tradition that declared that for the sake of 36 righteous people the world is preserved. The 36 must be honored.

We must retrieve the meaning of their acts, discover their fate and sweeten the remainder of their lives. There are too many reports of rescuers who have fallen on hard times, who are unsung and uncared-for. Theology has dealt with reward and punishment as prerogatives of God both in this and in the next world. But we are not helpless in this arena. We correctly bring to task the murderers of innocent people, seek them out and seek justice. The world is not helpless.

The murder of millions has no statute of limitations. *But neither are we powerless to reward.* It is not too late for the world Jewish community to form a *Foundation to Sustain the Righteous Gentiles*, many of whom were tragically ostracized by anti-Semites in their native lands, many of whom are in poor, even desperate economic circumstances today. The good must be rewarded in this world, in this time and by our community.

Jewish remembering is a sacred task. As important as the mandate to remember what Amalek did is the moral imperative to recall what Shifrah and Puah did (Exodus 1:15-22).

Theologians, ethicists, educators—of all faiths—must be enlisted jointly to assimilate and interpret the largely ignored evidence. And we Jews own a testimony of goodness that deserves to be fully heard. "Ye are My witnesses," says the Lord. A celebrated midrash in *Pesikta d' Rav Kahana* goes on to explain the intent of God's words. "If ye are My witnesses, then I am God. And if not, then I, as it were, am not God."

There is godliness in the world—and we Jews have the great good fortune to be, if we permit ourselves to be, its witnesses, witnesses to God's presence in our midst. Not to testify to the spark of human decency in the darkness is to betray our oath. We owe witness to our God and to our grandchildren.

PERSPECTIVE ON THE PALESTINIANS

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. FLORIO. Mr. Speaker, the events in the last 2 months in the West Bank, the Gaza Strip, and in Jerusalem in Israel have given many around the world fuel for concern.

The situation is not one easily resolved from the safe distance enjoyed by those who are not on the scene. But for those who are personally involved in the conflict, both the Arabs and the Israelis, the resolution of this conflict will not be achieved through simplifications of the conflict.

Most recently, one of those simplifications has been the comparison of the State of Israel to the repressive state mechanism of apartheid in South Africa.

Yet, the solutions suggested in the recent weeks sometimes overlook the complexity behind the events in the Middle East. It has often become all too simple to attach a label and the corresponding stigma to the players in this crisis.

What is ultimately required if peace in the Middle East is to have a chance at succeeding is a balanced perspective on all sides and a little caution before drawing inappropriate comparisons.

A recent editorial from the Philadelphia Inquirer by Donald Kimelman goes a long way toward addressing in a thoughtful and insightful fashion some of the issues at stake in the Middle East. I hope that this editorial will restore some of the objectivity that is required for the resolution of the crisis in the interests of Israel's national security and of the freedoms of all parties concerned in the areas of rioting.

The article follows:

THE ISRAELI CRISIS: ARE THE MEDIA TO BLAME?

(By Donald Kimelman)

The New Republic, which has a keen eye for the media's foibles, has an item in its current edition contrasting the play of two stories in the Washington Post:

On Jan. 4, the Post's front page carried the headline, "Israeli Soldier Kills Arab Woman." A day earlier, way back on Page 27, the Post ran a two-paragraph news brief about a massacre in Northern Brazil in which state troopers, their guns blazing, rushed a group of protesting gold miners and slaughtered perhaps 100 people.

The magazine headlined its pointed little comparison: "It's not what you do, it's where you do it."

Such examples of the selective way that the news media cover the world's overabundance of cruelty and misery are inevitably raised every time there is a new flare-up in the Arab-Israeli conflict.

Critics ask why Israelis killing Arabs is so much bigger news than Arabs killing Arabs, something that is happening all the time—though generally out of sight of the camera's eye.

Most Americans probably weren't even aware that Shiite militiamen have been conducting a three-year siege of Lebanon's battered Shatila refugee camp until the kind-hearted Shiites recently called a halt to the killing in solidarity with the rebellious Palestinians in the West Bank and Gaza. The death toll in the longrunning "camps war" has been estimated to exceed 2,000; the death toll in the current uprising in the Israeli-occupied territories is 38.

There are some easy arguments to explain why what the Israelis are doing has gotten vastly more attention than what the Shiites were doing. Israel, as a westernized nation, is held to a higher standard; Israel receives huge amounts of American aid; continuing unrest in Israel's occupied territories could force some kind of historic change in the Middle East stalemate.

All that said, there is no question that what is happening in the occupied territories has gotten more coverage because the Israeli authorities allow journalists to witness the violence and to send back the vivid stories, photos and footage that then dominate the news.

Israel is thus paying a heavy price for its openness, which seems unfair. Is the daily violence in Afghanistan, for example, any less newsworthy because the Soviets and Afghans have never allowed journalists into any of the war zones?

I mention Afghanistan because, in my previous assignment as a Moscow-based correspondent, it used to gall me that the Soviets were able to maintain their worldwide peace offensive, in part, because they never let anyone get close to their dirty little war. It is easier to appear sincere about wanting to reduce bloodshed around the world, if the nightly news is not carrying footage of your armored regiments destroying Afghan villages.

Lately, however, I have begun to realize that the Soviet advantage was illusory. Muting the war didn't end it. Instead, it allowed the Soviets to continue pursuing a fruitless, destructive and self-destructive policy longer than simple common sense would have allowed.

At this writing, Mikhail S. Gorbachev, an eminently practical man, is trying to figure a way to get the troops home. And so, ironically, the Soviet news media have finally been allowed to convey a small sense of the human cost of that eight-year misadventure.

The situation in South Africa more closely parallels what's happening in the occupied territories, but with this important difference: In the spring of 1986, the South African authorities concluded that by severely restricting news coverage of black unrest—and by locking up thousands of potential troublemakers—it could actually stop the violence.

The tactic worked. With the exception of black-on-black violence—the kind the South Africans love to see publicized—the rebellion has subsided.

But South Africa has merely postponed its time of reckoning and, in choosing to tough it out, has become even more of a pariah among nations. Its sheltered white residents continue to have no real sense of the violence and rage that exists all around them. There, too, the gains of censorship are likely to prove illusory.

Which brings us back to the situation in Israel. The clashes between troops and demonstrators have dominated not just the Western news media, but the Israeli media as well. People there are keenly aware of what is happening in the occupied territories, which doesn't mean that they are all furious with their government. If anything, this new threat to Israel's security is moving the country to the right.

But that's how things work in an open society. The Israelis know what is happening. They also know that the world is watching and making harsh judgments based on what it sees. Come fall, they will again go to the polls to choose between a party that is willing to trade land for peace and one that argues for a continued hard line. Whatever the outcome, the choice will not be made out of ignorance.

It could be argued that the American news media are skewing the process by placing undue emphasis on Israel's repressive measures. But, if anything, the harsh publicity has served as a warning shot to the Israeli authorities, forcing them to curb their tactics before their Western allies felt compelled to take some kind of political action.

As a result, fewer Arabs are dying. And if that trend continues, the story will die, too.

**CHILD SUPPORT ENFORCEMENT:
AN IMPORTANT REFORM**

HON. OLYMPIA J. SNOWE

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Ms. SNOWE. Mr. Speaker, today I am introducing legislation to close an important loophole in the child support enforcement statute.

The Child Support Enforcement Amendments of 1984 require the withholding of child support payments from wages when past due payments equal 1 month's support. Employers are required to comply with this wage withholding. However, a serious flaw in this system has recently come to my attention.

Under regulations set by the Department of Health and Human Services, an employer who withholds child support payments from an employee's wages has 10 days to turn that payment over to the appropriate State agency for distribution. The problem is that there is no penalty for an employer who waits longer than 10 days to turn over the support payment.

The law does give the State the power to take such an employer to court. However, if this is done, the employer can come to court with the check for the overdue payments and the case is dropped. Meanwhile, what happens to the family dependent on the support payments? As the payments sit with the employer, where they can be earning interest for that employer, the custodial parent is usually forced to turn to Federal welfare assistance.

The continuation of court ordered child support payments to custodial parents is essential to the well-being of their children. Many of these parents count on weekly support payments to provide for their children's basic needs. For this reason, I am introducing legislation to create a Federal penalty for employers who do not send wages withheld for child support to the appropriate agency within 10 days.

As we in Congress emphasize the need for efficient Federal welfare spending, I believe this legislation does just that. I urge my colleagues to support this needed reform.

**THE INTRODUCTION OF THE
CIVIL SERVICE DUE PROCESS
AMENDMENTS**

HON. PATRICIA SCHROEDER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mrs. SCHROEDER. Mr. Speaker, today I, along with my colleagues Representative FRANK HORTON and Representative MERVYN DYMALLY, are introducing the Civil Service Due Process Amendments of 1988. This bill contains five substantive sections which were reported by the Committee on Post Office and Civil Service on August 5, 1987, as part of H.R. 25, the Whistleblower Protection Act. There is nothing in the bill which has not been subject to hearings, committee deliberations and approval.

Before describing the provisions of the bill, let me explain why we are breaking up the whistleblower bill. After the committee reported H.R. 25, Congressman FRANK HORTON persuaded the administration to develop a form of the legislation which they could support. In a series of negotiations, the administration representatives stated that the five sections contained in the bill I am introducing today were not appropriate for a whistleblower protection bill because they did not directly relate to whistleblower protection. Representative HORTON and I are still trying to find some compromise on H.R. 25 which deals with the issue and satisfies all the interested parties. Nevertheless, there is no reason not to move these other worthwhile sections separately.

Here, then, is what the Civil Service due process amendments do. Section 1 is a short title.

Section 2 is the text of H.R. 555, legislation introduced by Congressman DYMALLY to provide Merit Systems Protection Board appeal rights to certain employees in the excepted service. Similar legislation passed the House during the last Congress. Passage of this legislation has been made all the more urgent by the decision of the U.S. Supreme Court last Monday in *United States versus Fausto*. In this decision, the Supreme Court cut off an alternate channel of judicial review for excepted service employees, saying that Congress, in passing the Civil Service Reform Act of 1978, had intended to deprive excepted service employees, other than those with veterans preference, of the right to challenge adverse actions. This bill provides those appeal rights.

Section 3 provides for the reinstatement of employees after they win their MSPB cases at the regional office level. Now, they have to wait the extra 2 years until the agency exhausts its appeal to the full board.

Section 4 says that a Federal employee who the agency wants to fire and who is eligible for an annuity can take his annuity and still challenge the adverse action before the MSPB. Currently, an employee who elects an annuity is considered to have retired voluntarily and cannot challenge the adverse action.

Section 5 requires that MSPB hearings be held near the job site unless it is cheaper for the Government to hold it elsewhere. Now, MSPB hearings are held in certain designated regional cities.

Section 6 requires that the MSPB be named the respondent in appeals of its decisions. Currently, the agency is named the respondent and Justice litigates the case.

These provisions are effective for cases filed after the date of enactment.

A TRIBUTE TO PRESIDENT CHIANG CHING-KUO OF TAIWAN

HON. MIKE ESPY

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. ESPY. Mr. Speaker, I would like to share this tribute to a most honorable man, President Chiang Ching-kuo of the Republic of China, whose recent death on January 13,

1988, sent shock waves through his people. The people of that island nation lost their leader and they have sadly mourned his passing as if they had lost a part of their family. It was only last April I met and spoke to President Chiang while in Taipei wishing him a happy birthday.

President Chiang left behind an island country that enjoys unsurpassed economic prosperity and more importantly, he left behind a constituency that is now more comfortable saying what it thinks. I saw it so clearly when I visited Taipei last year, and became readily impressed with the openness and industriousness of the people.

Indeed, the President's true legacy was the institution of true political reforms during the last 12 months of his life. During this brief period; he lifted martial law, he allowed opposition political parties to exist; he relaxed controls of newspapers; and he permitted Taiwan residents to visit their relatives on the mainland.

Mr. Speaker, it seems that overnight President Chiang's political initiatives transformed how his people think and act. Despite open political demonstrations by the opposition political party which greatly irritated the conservative segments of society, President Chiang, as was his will only nine days before his death, noted his desires: "It is * * * my hope that you actively carry constitutional democratic development without interruption." And I believe, his will and his direction will be carried out.

We are all hopeful that the pace of democratization, in accordance with the late President's wishes, will continue in the Republic of China under the leadership of President Lee Teng-hui.

CLEAN LAKES FUNDING

HON. ARLAN STANGELAND

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. STANGELAND. Mr. Speaker, for weeks now we've been learning about "special" or unwarranted provisions contained in the fiscal year 1988 continuing resolution, House Joint Resolution 395. Each day reveals a new surprise in the massive funding bill. Today, though, I want to bring to the House's attention a glaring omission in the appropriations bill. The HUD-independent agencies title does not provide a single penny for the Environmental Protection Agency's clean lakes program. Congress must act quickly to restore the funding for this relatively small but crucial environmental program.

Section 314 of the Clean Water Act establishes a national program to protect, restore, and improve the quality of publicly owned freshwater lakes. Since 1980, EPA has provided financial and technical assistance to States for classifying lakes, identifying techniques for restoring water quality, and implementing cleanup and control projects.

The Water Quality Act of 1987 strengthened the section 314 program by increasing and extending the authorizations, providing for lake restoration plans, and establishing a new na-

tional cleanup demonstration program. This was in direct response to testimony from State water officials and a ground swell of support from citizens and other lake users.

The House- and Senate-passed fiscal year 1988 appropriations bills each contained \$15 million for the section 314 program. This represented a tripling of the funding level in the fiscal year 1987 appropriations law. Congress increased the appropriations because of the program's enormous past success, future importance, and continuing public support.

Unfortunately, the conferees on the fiscal year 1988 continuing resolution deleted all funding for section 314. I understand they faced difficult constraints and had to make some unpopular decisions. But I also understand that a reinvigorated and adequately funded clean lakes program will pay enormous dividends. As a Minnesotan and as the ranking Republican member of the House Public Works and Transportation Committee's Subcommittee on Water Resources, I know the value of clean lakes and the valuable contributions EPA can make to State and local programs.

Already, we are hearing of numerous problems and setbacks in State and local efforts because of the unexpected zero funding level in the continuing resolution. State applications for this year's grants are put on hold indefinitely and hundreds of watershed and conservation districts are scrambling to reassess their cleanup goals and schedules.

Therefore, Mr. Speaker, I intend to lend my full support to legislation in the coming months to restore the section 314 funding. I urge each Member to join me in this effort. We can't wait until another year-end continuing resolution. We need appropriations for this crucial program to be available during this fiscal year—we can't afford to put it off until next year. The program is simply too important and too successful to be put in jeopardy due to last-minute budgetary decisions.

THE AIR TRAVEL RIGHTS FOR BLIND INDIVIDUALS ACT

HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. TRAFICANT. Mr. Speaker, today I am introducing legislation that would prohibit airlines from discriminating against blind passengers. I have been involved in this issue for 2 years and I believe the time has come to force both the Department of Transportation and the airlines to directly address this serious problem.

My bill entitled the Air Travel Rights for Blind Individuals Act, would amend the Federal Aviation Act of 1958 by adding the following provision:

A carrier shall not use visual acuity or a passenger's use of a white cane or dog guide as the basis for establishing any restriction on seating in aircraft.

On December 2, 1987, I, with Matthew Scozza, Assistant Secretary for Policy and International Affairs at DOT to discuss this

issue. I asked for this meeting after the National Federation of the Blind walked out of negotiations with DOT over the promulgation of regulations to prohibit discrimination against handicapped individuals by the airlines. These regulations are required under the Air Carrier Access Act of 1986 (Public Law 99-435). DOT proposed that the regulations be drafted through a negotiated rulemaking process.

Although it was a constructive meeting, the regulations under the Air Carrier Access Act may not be implemented for at least another year. It is my hope that this legislation will focus attention on the blind community and the unique problems they have encountered. No clear cut evidence exists to indicate that a blind passenger sitting in an emergency row exit seat poses a safety threat to other passengers. Despite this, the airlines, with the apparent support of the Federal Aviation Administration, will not allow blind persons to sit in emergency exist row seats.

Mr. Speaker, I hope to continue working with both the blind community and DOT to settle this issue once and for all.

JAPANESE AMERICAN COMMUNITY TO HONOR BARNEY FRANK

HON. ROBERT T. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. MATSUI. Mr. Speaker, this Saturday, January 30, 1988, our colleague from Massachusetts, BARNEY FRANK, will be honored by the Japanese American community for his outstanding work on redress legislation. This honor comes as no surprise, for BARNEY's tireless work as chairman of the Subcommittee on Administrative Law and Governmental Relations was crucial to the development and eventual passage of H.R. 442, the Civil Liberties Act of 1987.

BARNEY's outstanding efforts on behalf of this legislation add to a lengthy list of his contributions to the cause of civil rights and human dignity. His involvement in the civil rights movement, his career in the Massachusetts House of Representatives, and his record in Congress distinguish BARNEY as a foremost advocate for justice and fairness. BARNEY FRANK has established himself as a passionate and articulate defender of the principles which have made the United States the great Nation it is today.

Mr. Speaker, by forcing Japanese Americans into internment camps, the United States Government strayed from its pursuit of liberty and justice. We are fortunate, however, to have a colleague like BARNEY FRANK to help this Nation straighten its course.

SAN FRANCISCO GIRLS CHORUS IS CHOSEN TO PERFORM IN HUNGARY

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. LANTOS. Mr. Speaker, it is my pleasure to announce today that when the Bela Bartok International Choir Competition is held in Hungary in July, the San Francisco Girls Chorus will be representing the United States—indeed it will be the only group from America at this most important event.

Hungary is the world center for choral music, especially for girls and young women. Competing there means that the San Francisco Girls Chorus has reached the top level of girls choirs in the United States. Founded in 1978 by Elizabeth Appling at the suggestion of Kurt Herbert Adler and Richard Bradshaw of the San Francisco Opera, the chorus is made up of girls from 7 to 16. Rehearsals are twice weekly, and the chorus members, in addition to choral performances, participate in dramatic productions and a summer camp. Advanced singers are selected to sing with the San Francisco Opera. The group has toured the Pacific Northwest, West Germany, England, and has performed at the White House.

Mr. Speaker, I wish to commend the San Francisco Girls Chorus and everyone associated with it as they look forward to competing on a world stage with the world's best choirs. They are a credit to San Francisco and to America.

DUMPING ON "OCEAN DUMPING"

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. FLORIO. Mr. Speaker, the waste management crisis facing the Nation has only increased the urgency to resolve the dilemma in disposal and treatment methods. With more wastes accumulating and overflowing from landfills, one of the more pressing environmental effects of the resultant dumping has been on the ocean.

The landfill crunch makes several things apparent. First, since only so much waste can fit into a limited amount of land, available space for waste disposal is increasingly going out of circulation. Better approaches to deal with the crisis are needed. Yet despite its mandate, the Environmental Protection Agency is not enforcing the already existing laws regulating disposal and ocean dumping.

Second, with the need to ensure that the Nation's wastes are not released into the ecosystem to damage any further the fragile environment, not enough has been done to emphasize the existence of available technologies in coping with the crisis.

In the economics of the garbage crisis, the demand for disposal space has been exceeding the supply. With nowhere to go, more and

more municipal sludge is winding up in our Nation's water systems. And since much of those wastes carry the threat of pollution, there is a corresponding need to treat the wastes to a greater extent.

In the State of New Jersey, with the closing of many important landfills because of a lack of available capacity, the ocean has become the quick fix in getting rid of whatever unwanted material our Nation produces.

However, almost invariably included in the waste material discharged into the Atlantic and Pacific Oceans and into the Nation's estuaries and river systems are such hazardous pollutants as PCB's and substances such as plastic.

In New Jersey, half of the total sludge produced within the boundaries of the State is eventually discharged offshore into the Atlantic Ocean.

When the totals across the Nation are added up, the amount of waste spilling into the Nation's aquatic ecosystems tops more than 15 million tons, including 7 million metric tons of municipal sewage and 8 million metric tons of dredged material.

Recently, under the auspices of the Transportation, Tourism, and Hazardous Materials Subcommittee chaired by Congressman THOMAS LUKEN, a field hearing was held in Hoboken, NJ. At this hearing, industry and community leaders voiced not only their concerns about obstacles in the development of these technologies but also their demonstrated potential in reducing the toxicity and amount of wastes that are dumped in the ocean.

Concentrating on alternative technologies available currently or in the near future once testing of those technologies has been completed, the hearing focused on two concerns.

First of all, the technologies and the resources do exist for municipalities all over the Nation to reduce the amount of wastes that ultimately must be disposed of with the conventional methods and the toxicity of the wastes which end up in the ocean.

Second, it also demonstrated that the developers of these technologies are facing a stone wall in their efforts to make these technologies the cornerstone of an improved and more efficient disposal process.

Although the EPA is charged with the enforcement of statutes presently on the books, including the 1978 Marine Protection, Research, and Sanctuaries Act and the Clean Water Act's regulation of municipal discharges into the ocean, the EPA has yet to display the necessary enthusiasm in enforcing these laws.

What is needed now is not only to make the EPA live up to its congressional mandate of enforcing the laws but also to turn the spotlight on alternative technologies for waste disposal and treatment.

I am including below an article by Liv Osby, a reporter for the Daily Record of Morristown, NJ, detailing this hearing on the different approaches available to resolve this crisis. As she has done many times in the past while a reporter covering the state of affairs in New Jersey, in this article, Ms. Osby thoroughly examines the pressing needs created by the crisis. The article follows:

CRITICS SAY EPA BLOCKS ALTERNATIVES TO SLUDGE DUMPING

(By Liv Osby)

HOBOKEN.—Industry leaders at the forefront of alternatives to dumping sludge in the ocean told a House subcommittee yesterday that government is the biggest obstacle to implementing new technologies.

The federal Environmental Protection Agency allows "regulatory confusion and delay" and is trapped in a "permitting straight jacket," said Barry A. Reiter, an engineer with Environmental Systems Co. in Little Rock, Ark.

Reiter and other representatives of firms from across the nation testified at a hearing of the House Subcommittee on Transportation, Tourism, and Hazardous Materials at Stevens Institute of Technology. The subcommittee met at the request of ranking subcommittee member Rep. James J. Florio, D-N.J., who said 7 million tons of sludge are dumped off the New Jersey coast each year.

"For too long, destructive ways of dealing with waste, (such as) ocean dumping, have been tolerated, even encouraged on the premise that there was no feasible alternative," the Democrat said. "That just isn't so."

Reiter said technological break-throughs, such as thermal treatment and other methods of rendering sludge harmless or even useful, are being developed with private funding, while EPA drags its feet behind, using public opinion as its reason.

Paul S. McGough, vice president of Resources Conservation Co., Bellevue, Wash., said that while millions of dollars go into engineering studies, firms on the technological frontier go out of business waiting to demonstrate their findings.

"It's not the public that's objecting," said McGough. "It's the EPA."

F. William Gilmore, chief executive officer of Colorado's Cleanup & Recovery Corp., said the EPA shows resistance to new treatment technologies.

"There are a number of new technologies," he said. "But I suspect they'll remain on the shelf. Congress and EPA should encourage the industrial community to employ novel and innovative treatment ideas . . . otherwise, the institutional bias will continue minimizing prospects for . . . promising technologies."

The EPA is conducting several research programs into alternate technologies, said John Skinner, director of office of environmental engineering and technology demonstration for the EPA.

After hearing the testimony, Rep. Frank Guarini, D-N.J., said EPA has "failed to meet its mission."

Florio said EPA also fails to enforce laws governing ocean sludge dumping. But Richard T. Dewling, commissioner of the state Department of Environmental Protection, said Congress must pass a law barring the practice.

"Legislation is the only way to stop dumping. We need changes in the law that don't allow loopholes . . . or it will continue," Dewling said, noting 50 percent of the state's sludge is dumped in the Atlantic.

Florio said the loopholes can be interpreted as EPA's "non-productive exercise of its discretion" because federal law empowers the agency to ban ocean dumping unless there's no economically feasible alternative.

"It's redundant for Congress to pass a law saying: Enforce the laws," he said. "EPA tomorrow must say: No waivers or permits."

EXTENSIONS OF REMARKS

TO REDUCE THE DEFICIT WE MUST REDUCE THE CAPITAL GAINS TAX

HON. ERNEST L. KONNYU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. KONNYU. Mr. Speaker, 5 weeks ago this Congress passed the budget for fiscal year 1988. This bill was roughly 82 days past due which can largely be attributed to negotiations on an agreeable bipartisan deficit reduction package.

We in Congress must begin work now on a deficit reduction package for future years. This package should significantly cut spending and roll back the current, heavy taxation of saving and investment. In particular, one positive tax move would set the capital gains tax rate at 15 percent.

History has proven that we can actually raise revenue in order to meet deficit reduction targets by cutting the capital gains tax rate. By reducing the rate on capital gains in 1978, increased revenue from capital gains taxes rose from \$8.1 billion in 1977 to \$11.7 billion in 1979.

The Tax Reform Act of 1986 eliminated the preferential tax rate on capital gains, which are now taxed as ordinary income. This will have devastating effects on the formation of capital and will surely result in a capital gains tax revenue loss over the next few years.

The current capital gains tax rate will have an adverse impact on the ability of small businesses to raise equity capital since it reduces the willingness of venture capitalists to take the risks involved in funding innovation and technological research. History has proven this to be the case as higher capital gains taxes imposed in 1969 inhibited the efficient use of capital and virtually dried up funds available for risky new ventures and new technologies. It is said that America's revolution might never have been launched without the 1978 cut in capital gains taxes.

Higher capital gains taxes reduce the liquidity and efficiency of capital markets. Higher capital gains taxes reduce taxpayer's willingness to realize capital gains. Higher capital gains taxes reduce the amount of tax revenue that the Federal Government actually receives.

It is essential that we restore preferential capital gains tax treatment to a maximum rate of 15 percent. Enacting this legislation could add billions of dollars to the Federal Treasury and give a tremendous boost to high-technology and other industries and businesses seeking the venture capital to keep the United States ahead of its international competitors, most of whom impose no capital gains taxes at all.

January 28, 1988

TRIBUTE TO LARRY D. ANDERSON

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. HYDE. Mr. Speaker, it is an honor today for me to pay tribute to a constituent of mine, Mr. Larry D. Anderson of Elmhurst, IL, who recently was named by the Jaycees as one of the 10 outstanding young people in the State of Illinois.

Knowing what I know of Larry's commitment to the DuPage County community, I can think of no better recipient for this most prestigious award.

It was Larry's idea to initiate with others a privately financed flood relief fund following the August 1987 disaster which left thousands of people temporarily homeless in the metropolitan Chicago area. More than 180 families in the Elmhurst community, flooded from their homes, benefited from the estimated \$85,000 contributed to the fund.

An attorney, Larry has given new dimension to the term pro bono. In the selfless service of others, he has nurtured a sense of community spirit by his work with the Cub Scouts, Little League baseball, community theater, the PTA, the United Way Campaign of Elmhurst, the YMCA, the Chicago Bar Association, and his church, St. Peter's United Church of Christ.

A member of the Elmhurst Jaycees since 1977, he has actively served his club in a variety of leadership positions, in addition to receiving numerous awards from the State and national organization, the latest award being yet another example of his commitment to excellence.

Thus, it is with great pleasure that I extend my very best wishes to Larry and his club colleagues who, I am sure, share a sense of accomplishment and pride for what Larry has contributed to Elmhurst and DuPage County.

TRIBUTE TO ALDA WILLIAMSON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. RANGEL. Mr. Speaker, on January 29, 1988, one of my constituents, Ms. Alda Williamson, will retire after 33 years of valuable and trusted service with United Parcel Service.

Alda, as she is known to her colleagues and professional associates, has been the company librarian and archivist. She has been the regular official reader of the CONGRESSIONAL RECORD, and her deep understanding of the legislative process has been a great asset to the UPS Public Affairs Group.

Alda was born in Hickory, NC, and attended the public schools there. She graduated from Lenoir Rhyne College with majors in history, English and biology. She received a fellowship at the University of Maryland, and simultaneously worked as a Library of Congress bibliographer for the Office of Strategic Services.

She instructed in history for the 3 years at Hood College, Frederick, MD, followed by 3 years as assistant professor of history at Baylor University, Waco, TX. For the next 4 years she supervised the circulation library of the University of Chicago.

She joined United Parcel Service, September 23, 1954. Alda has served well the company and the company's shipping public. Her research was instrumental in enabling UPS to expand from serving retail stores in a number of major cities to serving the entire population of the 50 United States and Puerto Rico.

Alda has doubled as a training materials writer and editor in the national communications department.

Her 33 years of diligence chart a model record of trustworthy and effective management.

I am delighted that Alda is planning to relocate to Austin, TX, where she will enjoy the intellectual and political climate of that capital city. Alda deserves all the finest security, rest and entertainment that Texas can offer because, through her work at UPS, she has so conscientiously devoted the last 33 years of service to others.

I salute Alda Williamson for the many contributions she has made to United Parcel Service.

PRESIDENT CHIANG CHING-KUO

HON. MATTHEW G. MARTINEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. MARTINEZ. Mr. Speaker, I rise today to join with my colleagues in both the House of Representatives and in the Senate in extending my sympathies to the Chinese people in the Republic of China for the passing of their leader, President Chiang Ching-kuo, on January 13, 1988.

I was deeply saddened upon learning of the death of President Chiang. I had the honor of meeting with President Chiang during past trips to the Republic of China. On a personal level, I found President Chiang to be a courageous leader who truly cared about the citizens of the Republic of China. President Chiang's accomplishments validate this perception. Through his leadership, the Republic of China has been transformed from an impoverished island country into an economic giant all within a 25-year period. Moreover, President Chiang must be credited with encouraging the evolution and operation of democracy in the Republic of China. In sum, the Republic of China has lost a valiant statesman.

On behalf of the people of the 30th Congressional District of California, I express my deepest sorrow to President Chiang's family and to the citizens of the Republic of China on the loss of President Chiang Ching-kuo. I share their sense of loss and I hope and trust that President Lee Teng-hui will lead his nation to even greater economic prosperity and political liberalization.

FARMERS' MARKET NUTRITION ENHANCEMENT PROGRAM

HON. MICKEY LELAND

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. LELAND. Mr. Speaker, today I am introducing legislation to establish a 3-year national demonstration project which would permit States to provide participants in the Special Supplemental Food Program for Women, Infants and Children [WIC] with additional resources to purchase fresh produce and other nutritious foods from farmers' markets. This bill, which is also sponsored by my colleagues Representatives GEJDENSON and ATKINS will help increase income for farmers and supply low-income households with nutritious foods for consumption.

This legislation is based on a program that has been successfully demonstrated in the Commonwealth of Massachusetts for just 2 years. The Massachusetts Department of Food and Agriculture established a pilot program to provide nutritionally at risk inner city residents of Massachusetts with fresh, and nutritious fruits and vegetables through a network of farmers' markets in 1986. The program is also designed to provide farmers who are participating in the markets with new customers and increased sales.

The Massachusetts' program is very simple. Low income mothers and elderly people who have been determined eligible to participate in the program are given \$10 worth of coupons. These coupons are used to purchase fresh produce at a participating farmers' market. Hence, both the low income consumer and the farmer benefit from the transaction.

The success of the program can be measured by the growth and the acceptance of the program in Massachusetts. In 1986, coupons valued at \$18,000 were distributed to 2,000 families by the Department of Public Health's Special Supplemental Food Program for Women, Infants, and Children [WIC] office. According to the Department of Food and Agriculture in Massachusetts, these families purchased more than 60,000 pounds of fresh Massachusetts produce at four farmers' market sites. The 60 farmers who participated realized a 25-percent increase in gross sales.

The program has since been expanded to eight additional farmers' markets statewide. Participation has increased to 13,500 WIC families and nearly 200 farmers.

Massachusetts, the first State to implement a farmers market coupon system, is not the only State which can show success in bringing together low income families and farmers. Programs generally replicating the one in Massachusetts can be found in Connecticut and Iowa. Vermont is operating a similar project, where produce from farmers markets is made available to low-income individuals who use the emergency food shelves network.

The Connecticut and Iowa programs are targeting large communities with high concentrations of low-income families, Hartford and Waterloo respectively. Based on the success of these two selected sites, both States plan to expand their programs to reach more low income residents and farmers markets state-

wide. Vermont is also expanding its program based on the overwhelmingly positive reaction from beneficiaries.

This legislation offers a variety of benefits. It addresses the nutritional needs of women and children who come from low-income households—State health agencies set income criteria at 185 percent of the national poverty level or below—and must be certified by a health professional to be at nutritional risk. The food packages provided through WIC each month are designed for the dietary needs of the pregnant, postpartum, and lactating women, infants, and children up to the age of 5. They provide vitamins and nutrients which are most likely to be absent from their diets. The supplementary purchase of items such as fresh fruits and vegetables which many of these households lack clearly contributes to the well-being of people in danger of malnourishment.

The experience of the four programs in existence indicates that the low-income consumer becomes acquainted with markets where a greater amount of food per dollar can be obtained. In Massachusetts, the average participating family received nearly 40 pounds of food for \$10 in coupons for the farmers' market season. The program improves marketing opportunities for local farmers and the additional income provides them with incentives to operate in low-income areas. Finally, the program establishes no new bureaucracy but works through existing systems.

We believe the programs already in operation display the capabilities State government and communities have in solving problems and improving the quality of life. Such programs can stimulate market opportunities for local farmers throughout the country and improve access to fresh products to low income, nutritionally at risk individuals. This bill provides for a modest investment which will have a great impact on vulnerable groups. I would like to now share with my colleagues a copy of the farmers' market pilot project legislation, which I urge you to cosponsor.

PUBLIC SERVICE RECOGNITION WEEK

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. HOYER. Mr. Speaker, today I am introducing this resolution to recognize one of our Nation's most valuable national resources—our public employees. The quality of government's service to people in this country and around the globe reflects America's true leadership position in the world.

Public employees defend our borders, enforce our laws, and represent our interests in countries around the world. They fix our roads, vaccinate our children to prevent childhood diseases, deliver our mail, negotiate our treaties and trade agreements with other nations, and perform countless other public services that many of us have come to take for granted.

To commend public employees for their unceasing dedication to serve the American

people, I introduce this resolution to designate the week of May 2 through May 8, 1988 "Public Service Recognition Week."

FARMERS' MARKET NUTRITION ENHANCEMENT ACT

HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. GEJDENSON. Mr. Speaker, I rise today to join with two of my colleagues, Representatives MICKEY LELAND and CHESTER ATKINS, in introducing the Farmers' Market Nutrition Enhancement Act. This legislation will help small family farmers by increasing the use of farmers markets and will also provide fresh food to nutritionally at-risk families.

Most of us would agree that some of the best new initiatives aimed at meeting the needs of low-income Americans do not come from Washington, but from the States. I am always encouraged when Congress takes notice of these grassroots initiatives and puts the weight of the Federal Government behind their development.

The WIC-farmers' markets programs in Connecticut, Massachusetts, Vermont, and Iowa fit into the mold of innovative and effective grassroots initiatives. The programs were born out of belief that more fresh produce in the homes of WIC families will improve the families' general health and result in healthier babies. They were initiated with State and private money, and have won accolades from farmers and low-income people alike.

In Connecticut, the Hartford food system distributed free bonus coupons to 6,200 WIC recipient households during the fresh produce growing season solely to be used at three farmers' markets in the Hartford area. Over 80,000 pounds of locally grown produce was purchased with the coupons and Hartford county farmers increased their sales by 25 percent. Similar results were registered in Massachusetts.

For most of the coupon users, this was their first time shopping at a farmers' market. Over one-third of the WIC recipients who received a coupon came back to the market again to use their own money. Farmers felt the coupons made it worthwhile for them to keep marketing their produce in the inner city.

The Farmers' Market Nutrition Enhancement Act authorizes seven demonstration programs over a 3-year period. We chose to authorize demonstration, not permanent programs as there are many aspects of WIC-farmers market programs that need to be fine tuned. We also hope that States will recognize the benefits of these programs and significantly increase State and local support for their continued development after the 3-year demonstration project has run its course.

Our legislation also realizes that we are in a period of budget austerity. The Farmers Market Nutrition Enhancement Act only appropriates \$2 million per year for the 3-year life of the program, and requires a total of \$1 million in matching State contributions.

The \$2 million Federal appropriation, furthermore, will have no impact on the benefits

currently available to WIC recipients. The standard WIC package of milk, cheese, infant formula, cereals, and fruit or vegetable juices will be supplemented, not supplanted, by the demonstration programs with fresh produce from farmers markets. Farmers redeem the coupons for cash from the State.

In introducing this legislation, Representatives LELAND and ATKINS and I are very realistic in our expectations for this program. We do not expect that this bill, in and of itself, will end hunger in America or bring an end to the farm crisis. The Federal Government, however, would be remiss if it did not act to support the development of a very positive movement which will increase business for small family farms and put more fresh produce in the homes of low-income families.

TRIBUTE TO SIX CONSTITUENTS

HON. JOSEPH P. KENNEDY II

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. KENNEDY. Mr. Speaker, I rise today to pay tribute to six of my constituents. These six—Timothy Holt, Milagros Espada, Barbara Hughes-Sullivan, Marianne Meyers, Melissa Menton, and Scott F. Toner—have distinguished themselves as students and as members of their community and have been awarded scholarships at the University of Massachusetts at Boston.

Timothy Holt, of Cambridge, earned an A average at the Maine Maritime Academy and is a computer science major. Milagros Espada finished in the top 5 percent of her class at Somerville High School and has chosen management as her major. Barbara Hughes-Sullivan, of Somerville, graduated from Bunker Hill Community College with an A average and has selected psychology as her major. Marianne Meyers, a graduate of the New England Conservatory, has selected English as her major. These four outstanding students have been awarded the Chancellor's Scholarship for Excellence.

Melissa Menton received her GED in July 1986. Since then she has worked as a receptionist in Boston and as a volunteer at Greenpeace. She plans to pursue a political science major. Scott Toner, of Cambridge, was very active at Matignon High School and also has been active with the Catholic Service Program. He also plans to pursue a major in political science. Both of these students have been awarded the Michael Ventrusca Scholarship.

We all agree that education is vital to our country's future. But we must not forget that quality education depends on more than good schools and colleges and more than excellent teachers and professors; quality education also relies on motivated students. Students like these make America's educational future bright.

I am very proud to bring these students to the attention of my colleagues. These six individuals have combined talent, hard work, a commitment to excellence, and a commitment to their community. The University of Massachusetts at Boston has always been an out-

standing school. With students like these it will be even better.

LEGISLATION TO ADDRESS THE STUDENT LOAN DEFAULT PROBLEM

HON. JIM JONTZ

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. JONTZ. Mr. Speaker, today I am introducing legislation to address the student loan default problem.

Paying for students who are defaulting on their guaranteed student loans [GSL's] has become the third largest expenditure of the Department of Education. This cannot continue if the GSL Program is to survive. At the same time, any response to this problem should not penalize future students or schools for a situation beyond their control.

My legislation gives students, lenders, institutions, guaranty agencies, and the Department of Education additional responsibilities to prevent defaults and help obtain collections.

The bill:

First. Requires monthly information from guaranty agencies to be sent to the national student loan data bank at the Department of Education. The data will include student loan delinquencies, defaults, and the change in status of a borrower whose loan is delinquent or in default.

Second. Requires guaranty agencies to provide a monthly report to eligible institutions of borrowers who are delinquent of their obligations. The institution then has an affirmative responsibility to review and correct the information and report back.

Third. Establishes a consistent and equitable definition of "default rate" which takes into account collections made on defaulted loans as well as a credit for certain high risk students who graduate or successfully complete a program of study.

Fourth. Requires that limitation, suspension, or termination of participation in guaranty programs be based on default rates after 3 years of reliable and consistent data have been accumulated. Institutions with default rates below 25 percent may not be subject to limitation, suspension, or termination from guaranty programs. Other aspects of the institutions' default rate situation may also be considered prior to any limitation, suspension, or termination procedures.

Fifth. Requires additional information from borrowers, including an acknowledgment of the responsibilities associated with the loans. It allows schools to withhold transcripts and other records from borrowers who are in default. Further, the student is provided with a statement of consequences for default on a loan and the student is required to provide additional information during the entrance and exit interview which could be helpful in collection of loans.

Sixth. Requires schools to institute default prevention programs. In addition, the proceeds of the student loans can only be multiphase dispersed on a quarterly basis, with no

funds available until 14 days of the program have been completed.

Seventh. Provides a congressional finding that the continuation of the IRS Offset Program has been successful and should be continued, and that other offset programs should be examined that would assist in the collection of defaulted loans.

Eighth. Requires the Department of Education to report annually to Congress on this issue.

I urge my colleagues to review the legislation and support this commonsense approach to addressing the default problem. It ensures the integrity of the GSL Program and continued student access to GSL's.

THE FARMERS' MARKET NUTRITION ENHANCEMENT ACT

HON. CHESTER G. ATKINS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. ATKINS. Mr. Speaker, 2 years ago the Massachusetts Commissioner of Agriculture began an innovative, low-cost program that directly benefits two groups of people that have fared badly in our economy: young mothers and their children, and farmers. It does so in a way that would make Adam Smith proud: It brings supply to meet demand.

Farmers in the United States produce an overabundance of food. In order to sell their goods, farmers are forever looking for new markets and customers.

Mothers and young children in the Special Supplemental Food Program, commonly known as WIC, are provided with vouchers that list specific foods that they should eat to make their diet more nutritious. But they still need to fill in the rest of their diet. They need to know where they can get fresh and nutritious produce for themselves and their children.

Thus, we have a large supply and a large demand, both groups needing each other. The Massachusetts program brings them together by providing WIC mothers with \$10 worth of coupons to buy fresh produce at farmers' markets in their area. The farmers then redeem the coupons for their full value.

This has the effect of introducing fresh produce into WIC recipients' diets. It also introduces new customers for the farmers that sell produce in these markets. In essence, these coupons have worked as a free marketing device for the farmers.

The program has been a great success. Redemption rates are high, often as high as 74 percent. And the cost has been extremely low: In 1987, the program served 32,500 people for only \$248,000. Essentially, there is little cost over the value of the coupon.

Word has spread about the success of the Massachusetts program. Similar programs have been established in Connecticut, Vermont, and Iowa.

Today, I am joining MICKEY LELAND and SAM GEJDENSON in introducing the Farmers' Market Nutrition Enhancement Act, a Federal demonstration program to support existing farmers' market coupons programs and encourage the creation of new programs.

It is rare, indeed, that we find an idea with as much promise as farmers' market coupons. By bringing WIC recipients, a group looking for inexpensive ways to purchase nutritious foods, together with farmers, who are always looking for more buyers of their produce, we have made a perfect match.

I urge my colleagues to support this legislation.

TRIBUTE TO CHARLENE VEST

HON. JACK BUECHNER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. BUECHNER. Mr. Speaker, I rise today to honor a selfless and outstanding servant of our Nation's youth—a teacher and mentor, a woman respected and loved by her students—Charlene Vest.

In a time when we're really not certain whether "Johnny" can read after all, it is paramount for us as this Nation's elected Representatives to give overdue recognition to the dedicated, professional men and women who are the true heroes of our public education institutions.

From the Second Congressional District of Missouri, Charlene Vest was such a hero. As a teacher of third-graders at the Pattonville Traditional School, she established for her students under NASA charter a "Young Astronauts Club" after she herself witnessed a launch of the space shuttle.

Taking to heart the words of Plato, that "[t]he direction in which education starts a man will determine his future life," during her 23-year tenure, Charlene Vest directed an entire generation of elementary school students toward dwellings in the higher realms of knowledge and wisdom, and prepared those students to be 21st century American leaders.

The life of this hero of American education came to a tragic end in December, when she was killed in an automobile accident. In her memory, the Young Astronauts Club has been renamed, with the approval of NASA, to the "Charlene Vest Young Astronauts Club," and a 23-foot oak tree will be planted—1 foot for each year she so nobly served her school.

The memory of Charlene Vest will continue through the many young people whose lives she so deeply touched.

It is an honor for me as the elected representative from the Second Congressional District of Missouri to hereby immortalize the name of Charlene Vest in the House of Representatives this day, January 28, 1988.

THE CHILD PROTECTION AND OBSCENITY ENFORCEMENT ACT OF 1987

HON. JOEL HEFLEY

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. HEFLEY. Mr. Speaker, I rise to praise the recent actions of several national telecommunications firms in taking steps to limit so-called dial-a-porn telephone lines.

Last week, one of those companies, US West, covering 14 western States, announced it would move such dubious services to a new, pay prefix—960—while continuing to offer other dial services through the old 976 prefix. At customer request, US West will block calls to either prefix or both, free of charge. And US West will no longer provide billing services for the 960 services.

This last action is echoed by that of AT&T, which recently announced that it, too, would no longer provide free billing services to those providers of pornographic telephone services.

A spokesman for the Mountain Bell subsidiary of US West pointed out that phone companies are public utilities, not community censors. Yet their actions will give customers the tools they need to protect their children.

Plans such as these are indicative of the best traditions of the American system—of private companies and individuals taking the initiative in addressing a public problem. We should applaud them for their action and encourage other telephone carriers to adopt similar policies.

Yet, at the same time, we in this Chamber should not view the actions of these utilities as a way out of making hard decisions of our own on this matter. No doubt everyone here has received too many letters from constituents to forget the importance the public places upon this issue.

Two weeks ago, the Second Circuit Court of Appeals in New York approved the Federal Communications Commission's latest set of regulations governing these types of communications. At the same time, the court rejected the Supreme Court's distinctions between "obscene" and "indecent," a ruling which may send the issue back to the Supreme Court. Nonetheless, the FCC claims it now has workable regulations in place and may consider introducing further legislative curbs within this year.

Today, I signed on as a cosponsor to the Child Protection and Obscenity Enforcement Act of 1987. This comprehensive package, drafted by the Justice Department and reflecting the findings of the Attorney General's Commission on Pornography, appears to offer the best legislative avenue for addressing this issue in light of legal precedent and existing regulatory statutes.

The act seeks, first, to update Federal law to take into account new technologies employed by pornographers and, second, to remove loopholes and weaknesses in existing law. Its provisions address three basic areas—sexual exploitation of children through child pornography, obscenity, and child protection, the latter provision including dial-a-porn and cable pornography.

I believe that this law, combined with continued efforts by private citizens and the telecommunications industry and the enforcement of existing FCC regulations, will do much to halt the spread of this social problem.

The pornography issue has festered in the courts and before Congress for almost 2 years. A general consensus has formed among the public that something must be done and that public is asking this body to act, in order that debate on this issue might be brought to a conclusion. In light of that

sentiment, I urge you to support passage of the Child Protection and Obscenity Enforcement Act of 1987.

JAPAN, ICELAND STILL KILLING ENDANGERED WHALES

HON. GEORGE J. HOCHBRUECKNER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. HOCHBRUECKNER. Mr. Speaker, I rise today to voice my anger at learning that two nations—Iceland and Japan—will violate international agreements and continue the illegal killing of whales in 1988. I would like to share with Members an article from the New York Times which describes this situation:

[From the New York Times, Jan. 24, 1988]

JAPAN AND ICELAND WILL DEFY BAN ON THE KILLING OF WHALES

REYKJAVIK, ICELAND, Jan. 23 (Reuters).—Japan and Iceland will continue to hunt whales despite an international moratorium and have threatened to leave the International Whaling Commission if the organization objects, Icelandic radio and officials said today.

The radio quoted Kazuo Shima, counselor of the Japanese Ministry of Agriculture, Forestry and Fisheries, as saying in Reykjavik that if the commission formally opposed its research program Japan might withdraw from the commission.

Officials said Iceland's Fisheries Ministry, Halldor Asgrimsson, made a similar threat at a closed two-day conference in the Icelandic capital that was attended by officials of six whaling nations. He also called for changes in the International Whaling Commission.

Japan says it wants to hunt for 300 minke whales to calculate the size of the minke stock, and Mr. Asgrimsson said Iceland would proceed with its four-year program of hunting up to 120 whales per year for research purposes. Conservationists have argued that research programs are thinly disguised efforts at continuing commercial whaling.

DISPUTE ON COMMISSION TERMS

The whaling commission condemned Iceland's program last year as being in violation of an international moratorium on commercial whaling that is to last until 1990.

Icelandic officials say that the moratorium was enacted on the premise that the time would be used to increase research into whale populations but that the commission had shown little willingness to do so.

The United States threatened Japan on Friday with possible economic retaliation if it killed any whales on its current expedition in the Antarctic. Federal law requires sanctions against any nation certified as violating international efforts on whale conservation.

Iceland averted such certification last year by agreeing to lower its announced quota to 100 whales from 120.

In return, Washington promised to work with Iceland on changes in the International Whaling Commission

JAPAN ACCUSES U.S. OF PREJUDICE

The radio said that at the conference Mr. Shima blamed the harsher reaction to Japan's hunt for whales on American "racial prejudice."

Mr. Shima said Thursday that Japan was prepared to continue its whaling program, despite the American threats.

"If the United States places sanctions against Japan we are ready to accept such sanctions," he said.

Mr. Asgrimsson is to meet with officials in Washington next month to discuss possible changes in the whaling commission's scientific committee.

The news of plans by Japan and Iceland for the continued killing of endangered whales comes at an especially bad time. It is particularly disruptive to negotiations aimed at improving our economic relationship with one of the offending nations—Japan. The whaling issue is likely to complicate efforts to negotiate in good faith with this important foreign trading partner.

Furthermore, this news is disturbing as the Congress of the United States is in the process of reauthorizing and strengthening the landmark Endangered Species Act. This act has enjoyed broad public support since its enactment in 1973. It provides for the strongest species protection of any statute ever enacted by a nation, and it has served as a guide for other countries trying to protect and conserve their natural environment.

Clearly, U.S. law requires sanctions against any nation which violates international efforts to conserve whales. I urge my colleagues to seriously consider imposing economic sanctions on nations proceeding with plans to kill endangered whales.

Mr. Speaker, we must send a signal to the governments of Iceland and Japan that this nation will not tolerate the taking of whales and the abrogation of international agreements to which the United States is a party. The trade bill now under consideration in the Senate may be an appropriate place to start in this regard; perhaps some other vehicle is preferable. By whatever means, this Congress must go on record as supporting the conservation of the international marine environment and opposing the killing of endangered marine animals.

STRIVING TOWARD EXCELLENCE IN PERFORMANCE AN INNOVATIVE "STEP" FOR MINNESOTA STATE GOVERNMENT

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 28, 1988

Mr. VENTO. Mr. Speaker, I wanted to share with my colleagues excerpts from an article written by Mr. Michael Barzelay and Mr. Robert A. Leone of the John F. Kennedy School of Government at Harvard University as it appeared in the July/August edition of The Journal of State Government. Their article extols glowing praise for an innovative approach to improve State government initiated by Minnesota's Governor Rudy Perpich known as striving toward excellence in performance [STEP].

STEP is an example of institutional self-improvement aimed at better serving its customers at its best. By involving the State's civic and business leaders in a partnership to improve the management of State government,

Minnesota commissioner of administration, Sandra J. Hale, was able to form a coalition whose very strength was its flexibility. It is no wonder that this successful project has become a model for a public policy course at the Kennedy School of Government.

CREATING AN INNOVATIVE MANAGERIAL CULTURE: THE MINNESOTA "STEP" STRATEGY (By Michael Barzelay and Robert A. Leone)

Minnesota state government is experiencing quiet cultural change. Every year, public managers throughout the bureaucracy are invited to experiment with managerial innovations designed to enhance the quality, quantity or cost-effectiveness of their agencies. Many public servants are responding eagerly to the invitation to serve citizens better, to measurably improve their operating performance and to take greater responsibility for making their agencies more innovative and productive.

The belief that public managers should strive for excellence in performance by consciously experimenting with internally generated ideas is not widely accepted, even if the "good government" state of Minnesota. Yet this concept of public management is making some headway among the state's civil servants, political appointees, business executives and union leaders. Behind this cultural change lies a set of carefully designed political and managerial strategies. This paper explores how a coalition forged by Commissioner of Administration Sandra J. Hale is providing the political support for a nascent culture of innovation throughout Minnesota state government.

THE DEVELOPMENT OF HALE'S STRATEGY

Commissioner of Administration Sandra Hale was well positioned to experiment with new strategies to improve state government. Hale eventually premised her strategy upon beliefs which ran counter to previous productivity schemes.

Her first premise was that state employees are predominantly competent and dedicated to their work as well as capable of innovating if empowered to do so. Second, successful organizational change usually requires employees to retain substantial control over the process of change. The third was that employees are ordinarily more motivated by the goal of improving performance—increasing quality, quantity or cost-effectiveness—than by mandates to lower costs or raise productivity. Finally, the commissioner believed state employees might actively take advantage of private sector resources if a joint public-private performance initiative were designed according to these premises.

Hale desired to challenge common beliefs that state employees are unresponsive, follow routines and are not innovative. However, as commissioner of the Department of Administration (DOA) she possessed few direct institutional resources to promote good management across state government. Primarily an oversight agency, DOA manages the state's information and telecommunications services, procurement, motor pool and property holdings, as well as a prestigious group of internal consultants.

To create a climate for innovation, experimentation and performance improvement, Hale needed the commitment of, among others, the governor, fellow commissioners and civil servants. Unless Perpich visibly supported Hale's premises and programs, other agencies would likely be indifferent to her initiatives. Fortunately, Perpich was attracted to Hale's conception of innovation,

which he found similar to the management philosophy of Control Data Corporation, where he served as an executive between elections. Yet Hale could not expect the governor to dedicate much time to pursuing a theme so counter to traditional conceptions of "good government."

Hale also faced the skepticism of state employees. Her strategy of relying on civil servants to initiate productivity improvements could be undermined by, among other things, strong popular beliefs that deprecate the competence of bureaucrats. The very state employees whose innovative ideas she sought had learned to follow rules and procedures closely to protect themselves from various external challenges.

Neither did Hale expect help from the state legislature. Legislators typically gain more political mileage by exposing the inadequacies of the bureaucracy, taking stands on issues, servicing constituent requests and seeking state aid for local needs than by seeking to improve the quality, quantity and cost-effectiveness of government. Hale had practically nowhere to turn.

BUILDING A COALITION

Perpich appointed Hale commissioner, in part, because she had worked closely with leaders in business, politics and the arts, and was adept at using these contacts to strengthen organizations with which she was associated. Most prominently, she chaired the board of the Guthrie Theater. Board members included many of the Twin Cities' foremost business executives. As commissioner of administration, Hale set out to correct business leaders' misperceptions of Minnesota government and thereby temper strident anti-government rhetoric of the prominent business associations.

In conversing with business leaders, Hale discovered that some executives might support her efforts to devise a statewide management improvement program. In particular, William Andres, who chaired the Dayton-Hudson Corporation and the productivity task force of the Minnesota Business Partnership (the association of big business), bolstered Hale's confidence in her concept to public management. Further, Andres encouraged the commissioner to emphasize the goal of improving service quality (in contrast to the historical goal of reducing costs).

Hale was persuaded that several prominent members of the business community might support a strategy of relying on state employees as sources of innovation and of using a public-private partnership to enhance these state employee innovative efforts. In 1984, Hale began to build a coalition of business and political leaders to support a state productivity program based on the premise that state employees are competent and eager to innovate.

INSTITUTIONALIZING THE COALITION

By the end of 1984, Hale began to form a steering committee for the productivity project. Perpich agreed to serve as co-chair, signaling his commitment to the effort, along with Andres. Andres consented to recruit other top business leaders as well. Leaders of the major public sector unions, together representing virtually all state employees, were invited to serve on the steering committee. With the governor as co-chair and with the unions involved, Hale set a tone that distinguished her project from prior productivity efforts.

Hale also sought to eliminate state agency staff fears that savings from productivity

improvements would be offset by budget cuts as had happened in previous reform efforts. The fear that innovations would lead to budget and possibly staff cuts tended to discourage bureaucrats from seeking to innovate.

In Hale's vision of a productivity program, state employees would be assured that their budgets would remain intact even after their suggested innovation was successfully implemented. This vision could be made credible by the support of the steering committee. The steering committee's sole resource was its prestige, but that was indeed a significant resource.

While the mere existence of such a steering committee could lend support for excellent management and innovations, it could not quickly change long-established behavior patterns. The committee somehow had to provide legitimacy to particular innovations so that the proposed changes would be accepted within the state government and so that the legislature would not match improvements in cost-effectiveness with budget cuts.

The institutional procedure designed to provide such political cover was to let the steering committee sanction the innovations; state employees would submit innovative project proposals to the committee for approval or disapproval. Approval by the committee, in effect, creates an alliance between particular bureaucrats, the governor, the state business elite, several commissioners and the public sector unions against those who might oppose the proposed innovation.

The composition of the steering committee and the solicitation of initiatives from below signaled the clear rejection of the top-down methods used by previous private sector commissions. So too did the name given the program. Realizing that the bureaucracy initially feared another wave of prodding from business executives, Hale's team chose the acronym STEP, differentiating the new program sharply from the Loaned Executive Action Program (LEAP). Consistent with this strategy of program differentiation, the words represented by the STEP program were first "Strive Toward Efficiency and Productivity," but later were changed to the more positive "Strive Toward Excellence in Performance."

WHY BUSINESS PARTICIPATES IN STEP

Corporations participate in STEP in two ways: through six top executives who are members of the steering committee and through firms which are asked to become "private partners" for specific STEP projects. Complex motives explain the considerable degree of business participation.

The Minnesota business community is well known for its civic consciousness. Except through occasional participation in productivity programs such as LEAP, however, Minnesota business had not been particularly involved in improving the management of state government.

Recent attention to the issue of corporate social responsibility helped convince some business leaders to promote excellence in state government. In the 1970s, Control Data Chairman William Norris and other leading corporate executives argued for greater cooperation between business and government through "public-private partnerships." Perpich vocally supported such partnerships at the start of his administration in 1983. Hale thought it made sense to tie the governor's productivity initiative to the partnership concept.

Once STEP gained the support of leaders such as Andres and Perpich, corporations that prided themselves on being outstanding "citizens" could not easily abstain from participating in this new model of public-private cooperation. These institutional incentives sometimes blended with market-oriented ones. For example, Control Data's donation of "process flow analysis" software to the Division of State Claims (the agency responsible for the state's workers' compensation program) occurred as part of a strategy to tailor its products to the public sector market. At the same time, the donation was greatly facilitated by the idea of public-private partnerships as well as by the institutional structure of the STEP program.

COMPETING MODELS

Unifying the diverse elements of STEP is the vision that state employees rather than the private sector should be the source of innovative ideas and change. Within this unifying vision, there is room for diverse views. Initially, some people saw STEP simply as a vehicle to mobilize bureaucrats' good ideas and to help make these ideas an institutional reality. Others, such as Deputy Commissioner Babak Armajani, viewed STEP foremost as an instrument for changing the culture of the state bureaucracy.

These differing views of STEP have implications for project selection, design and follow-up. For example, Armajani's approach favored projects that would provide project managers with greater management discretion, increase opportunities for employee participation and team work, breed a concern among state employees for serving customers and provide a mechanism for measuring results. According to this view, STEP was a deliberate effort to transform project leaders and team members into carriers of the new culture of managerial excellence.

PRODUCING RESULTS

STEP has elicited a significant response from the bureaucracy in its beginning years. Interviews with STEP program participants revealed several motivations for participation in the program: (1) some employees believe that support for an innovative idea from outside their agency counterbalances their supervisors' indifference, (2) some supervisors feel compelled to generate STEP proposals to please the powers that be, (3) some participants wish to prove that the public sector can be managed as well as the private sector.

The following sample of STEP projects from these beginning years shows a remarkable range of STEP projects.

The Division of State Claims, as mentioned, used STEP to acquire sophisticated computer software to streamline the processing of worker's compensation claims.

The parks department now accepts credit cards in a STEP-sponsored initiative to make it more convenient for park patrons to pay for season permits.

A planning group integrated data bases to facilitate economic development.

The corrections department diversified the product lines in prison industries and developed a program to sentence prisoners to community service as an alternative to incarceration.

The state human rights agency uses its private partners to aid in the enforcement of equal housing and employment opportunities.

A health agency revised the reimbursement formulas for services to handicapped children.

The treasurer improved cash management techniques by coordinating activities with the financial community.

The state weather service developed new channels of communication with major users of its services.

DOA now offers local government access to its centralized telecommunications service on a fee-for-service basis.

None of these innovations is spectacular in its own right. However, every item on this list is designed to make government work better, not just cheaper. These projects are designed to achieve excellence in public management through innovation, and, in so doing, to help reinforce a culture that encourages, nourishes and rewards innovations from within state service.

The politics of innovation are still being invented in Minnesota. The common meaning of good government, for instance, is beginning to include the notion of high-quality, cost-effective performance. In response to criticism from the Independence-Republican challenger during the 1986 gubernatorial campaign, for example, Perpich explicitly cited the STEP program as evidence of his dedication to improving government.

Although the long-term, bottom-up, "excellence in performance" approach has been institutionalized neither in the world of politics nor in the state legislature, the approach has made headway among some

socio-economic and political elites as well as among some state employees. Through STEP's communications and other activities, a new discourse of public management is becoming meaningful to an increasing number of people in state government. The traditional culture of rigid hierarchy and exclusive accountability to process is being challenged by people holding an alternative vision of public administration.

The STEP vision is sustained, in part, by newly established networks of like-minded individuals, formed across departmental lines, across bureaucratic strata, and, to some extent, across the boundaries of the public and private sectors. At a minimum, these networks, deliberately fostered by STEP, help reorganize patterns of authority and communications in ways that breed innovation.

STEP is likely to succeed for three important reasons. First, innovation is an organizational process. Successful innovation is not merely a good idea successfully implemented; it is a carefully crafted process that percolates a succession of new ideas to the surface and effectively implements a portion of them. STEP is a remarkable project precisely because of its attention to the institutionalization of innovation from within Minnesota state government.

Second, the STEP program implicitly recognizes that inducing innovation requires political coalition-building, which, in turn, may require the kinds of creativity typically associated with "cultural entrepreneur-

ship." Cultural entrepreneurship is the art of leading others to alter their core beliefs about social realities and possibilities. Political coalition-building is usually necessary to embed these reorganized beliefs in real-world social structures and institutions.

Third, a good deal of STEP's success lies in its reliance on decentralized initiative and its encouragement of clarification of purpose as essential to effective innovation (e.g., asking, Who is the customer? What measurable results do we seek?). Only in this way can the direction and pace of innovation match the strategic agenda of individual government agencies. The same approach to innovation is simply not appropriate for all state agencies and the STEP program is wise enough to recognize and accommodate this reality.

STEP's ultimate success rests on an appreciation of a simple reality—continued innovation is as much as a cultural phenomenon as an administrative one. Good ideas percolate to the top, are championed by public entrepreneurs, and are politically accepted only in a culture that values innovation for the good that it accomplishes, not merely the money it saves.

STEP consciously and systematically addresses this cultural question by empowering individuals and agencies in the bureaucracy to act on behalf of better government, while challenging those outside the bureaucracy to recognize that government can never be inexpensive if it is not done well.